

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Hemberger et al.	Art Unit :	1656
Serial No. :	10/506,367	Examiner :	Anand U. Desai
Filed :	April 5, 2005	Confirmation No.:	1076
		Notice of Allowance Date:	January 26, 2009
Title :	COUPLING PROTEINS TO A MODIFIED POLYSACCHARIDE		

**MAIL STOP ISSUE FEE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF ALLOWANCE**

In response to the Notice of Allowance mailed January 27, 2009, attached are a completed issue fee transmittal form PTOL-85b and payment in the amount of \$1810 for the required issue fee and publication fee.

**COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE**

Applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, Applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, Applicant does not concede that all of the identified limitations – i.e., “the binding reaction between the hydroxyethylstarch and the protein is a single covalent bonding that is the result of a coupling reaction between the terminal aldehyde group of the hydroxyethylstarch and a primary amino group of the protein” – are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, the dependent claims are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: April 27, 2009

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Attorney's Docket No.: 14503-0011US1

Please apply the required fee of \$1810, and any additional charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: April 27, 2009/

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